

**BUCKSPORT TOWN COUNCIL MEETING
7:00 P.M., THURSDAY, MARCH 11, 2010
TOWN COUNCIL CHAMBER-BUCKSPORT TOWN OFFICE**

1. Acting Mayor Dave Keene called meeting to order at 7:00 P.M.
2. Members Present: Michael Ormsby, Byron Vinton, Dave Keene, Brian Leeman, and Robert Howard. Members Absent: David Kee and Jeff Robinson.
3. Consider minutes of previous meeting

It was motioned by Robert Howard, seconded by Byron Vinton and unanimously voted to approve town council meeting minutes of February 11, 2010 as presented.

4. Receive and review correspondence and reports:
 - a. Treasurer's Warrants February 2010
-Council members received copies of financial reports for the month of February 2010. Town Manager asked that questions or concerns be directed to him or the Finance Director.
 - b. Monthly Departmental Reports
-Council members received copies of departmental reports and were asked to direct any questions or concerns to the Town Manager.
 - c. Email from Katrina Bisheimer regarding movement to balance an effective and efficient military with "jobs and schools"
-Katrina Bisheimer read a statement to council members regarding Afghan and Iraq war spending and local fiscal crisis. Katrina commented, as you make difficult decisions about what to cut from the town budget, consider how the billions spent on the wars in Iraq and Afghanistan could have been spend to meet the needs in our community. Katrina invited council members to join area citizens at a teach-in to "Bring our War Dollars Home and Fund Our Communities" on March 20th 1-5 p.m. at the Unitarian Universalist Church in Bangor. The theme of the teach-in will be redirecting funds to meet human needs in Afghanistan and here at home in our local communities.
 - d. Proposed budget and capital improvement plan for period 7-1-2010 to 6-30-2011 (overview will be provided by the town manager)
-Town Manager briefly reviewed the proposed budget and capital improvement plan for the period 7-1-2010 to 6-30-2011.

5. Consider Resolve #R-2010-84 regarding request from Planning Board to establish a moratorium in anticipation of a Mineral Extraction Ordinance

Jeff Hammond, CEO indicated that the newly adopted ordinance addresses some of the issues, but does not address everything and the CEO suggested considering the following items:

- a. Should mining be allowed below the groundwater table. DEP requires variance for this.
- b. Should mining be required to externally drain? DEP requires variance for this.
- c. Should a groundwater study be mandatory?
- d. Should a storm water management plan be mandatory?
- e. Should the use be prohibited in the watershed for Silver Lake?
- f. Are DEP buffers adequate? 100 feet to property line from excavation.
- g. Is abutter notification to 100 feet from property line adequate?
- h. Are DEP noise standards suitable for Bucksport? Should a noise study be mandatory? Should back-up alarms be subject to noise regulations?
- i. Should up to 4 blasts per day be allowed? Should blasting be limited to weekdays?
- j. Should a pre-blast survey be mandatory? DEP may waive.
- k. Should blast monitoring be mandatory? DEP may waive.
- l. Should minimum sight distances be greater for quarry entrances?
- m. Should a bond be mandatory for reclamation? Optional for DEP
- n. Should regular third-party inspections be mandatory? DEP conducts inspections as required.
- o. Should any variance or waiver request to DEP also be subject to town approval?
- p. Should the financial capacity of the operator be verified?
- q. Should a history of violations be a factor in reviewing an application?
- r. Should a permit be nontransferable and subject to renewal similar to junkyards and auto graveyards?

Dave Keene asked if it is legal to hold back an applicant if already filed with the town?

Jeff Hammond indicated, if the planning board has completed a subsistence review, the application would not be subject to a moratorium.

Byron Vinton made note of the applicant already filed and noted that this does not permit this type of business in this area.

Jeff Hammond indicated that there could be exceptions.

Mike Ormsby does not agree with a moratorium, as he feels the updated ordinance addresses these issues and he does not want to add more restrictions for citizens' properties.

Brian Leeman agrees with the moratorium, but insist on a quick response time.

It was motioned by Byron Vinton, seconded by Robert Howard to approve Resolve #R-2010-84.

Vote In Favor: 0

Opposed: Michael Ormsby, Byron Vinton, Dave Keene, Brian Leeman, Robert Howard.

Vote Failed: 0 - 5

6. Consider Resolve #R-2010-85 referring issuance of a license to food vendors to the Ordinance Committee

It was motioned by Brian Leeman, seconded by Robert Howard and unanimously voted to approve Resolve #R-2010-85.

7. Consider Resolve #R-2010-86 establishing priority highway improvement projects for the MDOT Six Year Plan

It was motioned by Robert Howard, seconded by Michael Ormsby and unanimously voted to approve Resolve #R-2010-86.

8. Consider Resolve #R-2010-87 identifying transportation projects that funding may be available for from MDOT

It was motioned by Robert Howard, seconded by Michael Ormsby and unanimously voted to approve Resolve #R-2010-87.

9. Consider Resolve #R-2010-88 authorizing purchase of one ton truck for the treatment plant

It was motioned by Robert Howard, seconded by Byron Vinton and unanimously voted to approve Resolve #R-2010-88.

10. Consider Resolve #R-2010-89 approving Consent Agreement between Laurel Richards and Beulah Richards

It was motioned by Brian Leeman, seconded by Byron Vinton and unanimously voted to approve Resolve #R-2010-89.

11. Consider Resolve #R-2010-90 awarding contract for street and parking lot striping

It was motioned by Brian Leeman, seconded by Byron Vinton and unanimously voted to approve Resolve #R-2010-90.

12. Consider Resolve #R-2010-91 approving ambulance write-offs for the period 10-2008 to 12-2008

It was motioned by Robert Howard, seconded by Michael Ormsby and unanimously voted to approve Resolve #R-2010-91.

13. Consider Resolve #R-2010-92 approving appointments for the ensuing year

It was motioned by Byron Vinton, seconded by Michael Ormsby and unanimously voted to approve Resolve #R-2010-92.

(b.) It was motioned by Robert Howard, seconded by Michael Ormsby and unanimously voted to take up an item not on the agenda.

It was motioned by Michael Ormsby, seconded by Byron Vinton and voted to approve Resolve #R-2010-93 authorizing agreement with Maine Department of Transportation for improvements to Central Street.

14. Issue license or permits, if any

It was motioned by Robert Howard, seconded by Brian Leeman and unanimously voted to approve Itinerant Vendor Permit to Marie Bradbury, d/b/a D & M Florist.

15. Hear report from Town Manager regarding the following:

- a. Gardner Commons 2009 Housing Assistance Grant

-The kitchen equipment has been delivered and installed. All of the work has been completed except for installing the roof for the new porte-couchere and placing the final lift of pavement in the parking lot.

- b. PUC Energy Grant

-The town had filed two grant applications with PUC. The first was a template grant in the amount of \$10,000 to complete a study to determine the feasibility of using wood waste to generate heat and electricity for occupants in the industrial park. The second grant application was for a custom grant in the amount of \$85,000 to install a wood pellet furnace at the treatment plant. Both applications were approved; however, after receiving notice of the grant approval, the template grant was rescinded because each applicant can only receive one grant.

- c. Central Street rehab

-Received the MDOT contract for Central Street improvements that needs to be signed by the council so we can proceed with the final plans and begin the improvements by May 1st. The Highway Department will be responsible to complete all of the ditching and replacing the culverts where necessary. MDOT will share in the cost of the materials for this phase of the project. The paving and reclaiming will be put out to bid.

- d. Heritage Park
 - Mike Millett informed this office that he has received approval from DEP, and he is in the process of having John Wardwell 1990 subdivision plan for the portion of the land revised so it can be submitted to the Bucksport Planning Board April meeting.
- e. Silver Lake Boat Landing
 - Jeff Hammond, CEO has been working with Maine DEP regarding the town's Land Use Permit for the parking lot and boat landing improvements. At this time, it may be necessary to modify the project so that a 50-foot setback can be maintained between the normal high water mark and the project limits.
- f. Energy Improvements
 - The bid request should be completed by the end of next week for all of the projects identified by the town council.
- g. Cold Storage Building for the Highway Department
 - The building has been completed except for having the overhead doors installed. The doors have been ordered and should be delivered within the next two weeks.
- h. Financial Report for the period ending 2-28-2-10
 - Most expenses with exception of two or three small accounts are within projections. As for revenues, Maine Revenue Sharing is the only account that is not meeting projections, but at this time it is not as significant as originally anticipated.
- i. School Budget
 - There has been six budget workshops regarding the school budget and believe the school board is now in a position to select an option that will give them the ability to cut the necessary expenses that are needed to meet the revenue losses that will be realized. Debbie and the Town Manager will continue to monitor the workshops and will meet with the council once the budget workshops have been completed. The superintendent has also agreed to meet with the town council sometime in April to review the budget.
- j. 301 Waiver
 - Received a telephone call from Maine DEP that the town needed to put together a plan to move towards constructing a secondary wastewater treatment facility. DEP is still working towards a ten to twelve year period to allow the town time to design the system and to line up the necessary financing for the project. They have agreed to meet in April to discuss the town's proposed schedule.

16. Set dates for Ordinance Committee and Solid Waste Committee meetings and budget workshops

Solid Waste Committee Meeting on Thursday, April 8th, 2010 at 5:45 PM at the Town Office.

Ordinance Committee meeting on Tuesday, March 16th, 2010 at 5:00 PM at the Town Office.

Finance Committee meeting on Wednesday, March 31st at 5:00 PM at the Town Office.

17. Discussion Items

Town Manager asked the council members to sign the easement deed for Scott R. Leadbetter Trustee for Leadbetter Realty Trust.

Brian Leeman commented on the passing of Norman Fitzgerald and how he will be missed.

Town Manager indicated that there are plans to place a bench along the walkway with a plaque bearing Norman Fitzgerald name.

Town Manager noted that the matter of two (2) hour parking requirement along Main Street would be taken up at the March 26th council meeting.

18. Adjournment

It was motioned by Robert Howard, seconded by Byron Vinton and unanimously voted that the meeting be adjourned.

Meeting adjourned at 9:18 PM.

Respectfully submitted,

Kathy L. Downes
Council Secretary